

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Case No. 13435US04)**

In the Application of:

Afghahi, et al.

Serial No.: 10/795,825

Filed: March 8, 2004

For: SINGLE-ENDED SENSE
AMPLIFIER WITH SAMPLE-
AND-HOLD REFERENCE

Examiner: Kenneth B. Wells

Group Art Unit: 2816

Conf. No.: 2778

Filed electronically on September 21, 2010.

PRE-APPEAL BRIEF REQUEST FOR REVIEW

Mail Stop: AF
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

The Applicant requests review of the final rejection in the above-identified application, stated in the Office Action mailed on June 22, 2010. No amendments are being filed with this request.

This request is being filed with a Notice of Appeal. The review is being requested for the reasons stated on the attached sheets.

REMARKS

On page 2 of the Office Action mailed on June 22, 2010, the specification was objected to. The Examiner says that the reference numbers 1010 and 1011 appear to be incorrect because they refer to the same node in Figure 10. Applicant disagrees. These reference numbers are not actually referring to a node, per se. They are actually referring to two separate inputs. The fact that these two inputs are coupled to the same node does not preclude the use of two different reference numbers for the two different inputs. Applicant also disagrees that reference number 1002 on page 34, line 8, of the specification should be changed to 1021.

Claims 9 and 10 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,477,481 ("Kerth"), and specifically by Figure 4A of Kerth. The Examiner asserts that the operation when the voltage at the top input terminal (where VINP is received) is transferred to the left plate of the top capacitor C1, i.e., when the top switch ΦA closes, constitutes the "sampling a voltage present at input node" per claim 9. The Examiner further asserts that the resulting storage of charge on the top capacitor C1 in response to the top switch ΦA , and the other ΦA switch connected to the right plate of C1, closing constitutes the "holding the sampled voltage at a reference node as a reference voltage" per claim 9. Thus, the Examiner deems the "input node" of claim 9 to be the terminal receiving VINP, i.e., the left terminal of switch ΦA . The Examiner further deems the "reference node" of claim 9 to be the node at the left side of C1. The Examiner goes on to allege that the operation when the ΦA switches open and the ΦB switches close constitutes the "measuring the input signal at the input node by sampling the input signal and comparing it to the reference voltage" per claim 9. Applicant strongly disagrees. First of all, when the ΦA switch opens, the terminal receiving VINP (which the Examiner deems to be the input node per claim 9) is cut off from the rest of the circuit. Therefore, the opening of the ΦA switch cannot constitute measuring the input signal (VINP) at the input node by sampling the input signal and comparing it to the reference voltage, per claim 9. Also, closing the ΦB switch admits the signal that existed at the right side of capacitor C1 to the + terminal of the differential chopped amplifier 48, but in no conceivable way does that result in a comparison of that signal to the VINP signal present at the input node. Even if the opening of the ΦA switch did not cut off the input signal VINP from the rest of the circuit (it does), at

best the result would be a serial provision of successive signals to the + terminal of the differential chopped amplifier 48, which obviously does not result in a comparison of such successive signals. Thus it is clear that Kerth fails to anticipate claim 9.

In view of the foregoing, Applicant respectfully requests allowance of claim 9 and claim 10 depending therefrom.

The Commissioner is hereby authorized to charge any additional fees or credit any overpayment to the deposit account of McAndrews, Held & Malloy, Ltd., Account No. 13-0017.

Respectfully submitted,

Date: September 21, 2010

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